

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

VERY REVEREND GEORGES F. de
LAIRE, J.C.L.,

Plaintiff,

v.

GARY MICHAEL VORIS, ANITA CAREY,
ST. MICHAEL'S MEDIA a/k/a CHURCH
MILITANT, and MARC BALESTRIERI

Defendants.

CIVIL ACTION NO. 1:21-cv-00131-JL

**LEAVE TO FILE GRANTED
AUGUST 1, 2023**

**PLAINTIFF'S REPLY IN SUPPORT OF HIS REQUEST FOR A STATUS
CONFERENCE TO DISCUSS PRE-TRIAL SCHEDULING MATTERS**

Plaintiff the Very Reverend Georges F. de Laire, J.C.L respectfully responds to the pleading filed this morning by Defendants briefly as follows:

1. Attached hereto as Exhibit 1¹ is the document showing the advancement of funds from Church Militant to defaulted co-defendant Marc Balestrieri, which Defendants contended was a loan made "to cover Mr. Balestrieri's mother's medical bills" (ECF No. 165 at 2). As the Court will see, contrary to Defendant's contention, the document says nothing about the funds being provided to Mr. Balestrieri being loaned for the payment of Mr. Balestrieri's mother's medical bills. While Defendants have separately produced information about Mr. Balestrieri's mother's medical bills, the loan is unrestricted. Together with the June 15, 2023 text message from Defendants to Mr. Balestrieri, threatening to "rain down" on Mr. Balestrieri if he did not testify the

¹ Defendants initially designated this document "Confidential" under the Confidentiality Protective Order in this case (ECF No. 26), but Defendants agreed to waive confidentiality as to this document via email on July 31, 2023.

way they wished him to (ECF No. 157-10), the provision of these substantial monies to the witness appears to be a potentially very serious issue. Among other things, it would be highly probative of Defendants' actual malice and negligence if they believed they needed to pay their alleged sole "source" in this case for his testimony in order to avoid liability. This is separate and apart from the already existing concern about Defendants' recent threat to Mr. Balestrieri concerning his anticipated deposition testimony. *See* June 15, 2023 text from Defendants to Mr. Balestrieri (ECF No. 157-10).

2. Defendants cannot seriously suggest that the documents from 2022 they have just produced were not called for in discovery where Fr. de Laire sought all materials concerning Mr. Balestrieri and his relationship with Church Militant, and in depositions asked questions about any financial relationship between the two. This is yet another instance of a late produced, potentially critical document prejudicing Plaintiff in his pursuit of the facts, all at great expense to him.
3. Fr. de Laire is deeply concerned with Defendants' latest disclosures, whether previously called for or not, and their possible meaning as they relate to Defendants' tactics in this case. To require Fr. de Laire to sort all of this out while preparing for trial is unfair, prejudicial, and smacks of gamesmanship. Fr. de Laire notes that the delay he wishes to discuss with the Court is one (1) week with corresponding extensions of the current filing dates for pre-trial matters.
4. Finally, while Fr. de Laire intended to observe the agreed upon confidentiality of the very brief settlement discussions which Defendants initiated late last Friday, the Court should be informed that, upon learning that Defendants intend to refuse to pay

the attorneys' fees ordered by the Court for the forthcoming court-ordered depositions as they claim to have "no ability" to pay, and that they desired to instead settle the case, counsel requested an attested to financial disclosure which would support Defendants' representation that they have no assets whatsoever; something which the Court would no doubt require if Defendants intend to argue they are unable to comply with the Court's order, including Mr. Voris personally. No such disclosure was forthcoming.

Respectfully submitted,

THE VERY REVEREND
GEORGES F. DE LAIRE

By his attorneys:

/s/ Howard M. Cooper

/s/ Joseph M. Cacace

Howard M. Cooper, *pro hac vice*

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CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2023 I electronically filed the above document(s) with the Clerk of the Court using the ECF system, which will send notification of such filing to those who are currently on the list to receive e-mail notices for this case.

/s/ Joseph M. Cacace
Joseph M. Cacace